

REMARKS

The art newly cited by the Examiner does not teach what the Examiner has stated or what the applicant has claimed and, hence, reconsideration of the new grounds of rejection is respectfully requested.

Before discussing the newly cited art, applicant wishes to correct the record with respect to the primary reference, U.S. Patent No. 5,854,985 to Sainton. On page 3 of the final action, the Examiner stated that Sainton taught the steps of “determining a location of the terminal relative to the host” and “selecting the channel for data transmission based on the location of the terminal”. This holding is not accurate.

At best, as previously argued, Sainton allows a user of a terminal to conveniently access any one of a number of wireless service providers within a geographic area based on cost and quality of service. The location of the terminal relative to a host is *never* determined. Channel selection is *not* based on the location of the terminal. If the Examiner persists in these holdings, then she is respectfully requested to point out where Sainton states that channel selection is based on location determination.

Newly cited U.S. Patent No. 6,279,059 to Ludtke was cited for its teaching of a digital camera. Yet, Ludtke’s surveillance camera is mounted at a *fixed docking station* in inconspicuous locations difficult to access (col. 1, lines 11-13). Motion control mechanisms 120 are used to pan the camera. This is far afield from applicant’s claimed “mobile” data collection terminal whose geographic location changes and must be determined.

Newly cited U.S. Patent No. 5,327,144 to Stilp was cited for its teaching of “determining a geographical location of the terminal relative to the host by operation of a global

positioning system (col. 10, lines 10-36)". Yet, this statement is incorrect, because Stilp teaches no such thing.

As the Examiner will note upon reconsidering this excerpt at col. 10, lines 10-36, the only mention of a global positioning system (GPS) is at lines 30-32. Rather than determine geographic location of any terminal, Stilp's GPS is used to send timing data to antenna 12-6 so that the GPS receiver 12-8 is correctly synchronized.

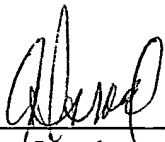
In her obviousness rejection of main claim 80, the Examiner held that it would first be obvious to combine Ludtke's camera with Sainton's mobile terminal. Applicant cannot understand why someone would be motivated to add a fixed camera to Sainton's mobile terminal when Sainton does not even hint that a camera should be mounted on the terminal.

Next, the Examiner held that it would be beneficial to add Stilp's GPS system to the Sainton/Ludtke combination for determining the location of the terminal. As previously noted, Ludtke's docking station is fixed in position and, as for Sainton or Stilp, neither determine terminal location, and certainly not by a GPS.

Wherefore, a favorable action is earnestly solicited.

Respectfully submitted,

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